

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

AMERICAN FAMILY MUTUAL
INSURANCE COMPANY,
AMERICAN FAMILY LIFE
INSURANCE COMPANY,
and AMERICAN STANDARD
INSURANCE COMPANY,
Wisconsin corporations,

Plaintiffs,

v.

ORDER

Civil File No. 12-53 (MJD/SER)

STEVEN G. GRAHAM,
a Minnesota resident, and
STEVEN GRAHAM AGENCY, INC.
a Minnesota corporation,

Defendants and Counterclaimants.

Martin S. Chester, Justin P. Krypel, and Colton D. Long, Faegre Baker Daniels
LLP, Counsel for Plaintiffs.

Geoffrey P. Jarpe, Maslon Edelman Borman & Brand LLP, Counsel for
Defendants and Counterclaimants.

On October 10, 2013, the parties raised the issue of whether the liquidated
damages provision involved in this litigation is enforceable. Based upon the
files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court will hold a hearing on the limited issue of enforceability of the liquidated damages provision after Plaintiffs have called their last witness, but before Plaintiffs rest.
2. The Court will decide the issue of enforceability after considering evidence presented at the hearing and will issue a ruling forthwith.

Dated: October 15, 2013

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court